

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
(Northern Division)

MELVIN NEWSOME, et al.

Plaintiffs,

v.

UP-TO-DATE LAUNDRY, INC., et al.

Defendants.

Civil Action No. S01-2257 (WDQ)

**MOTION FOR CLASS CERTIFICATION**

The five named plaintiffs are African Americans who were hourly employees of defendant Up-To-Date Laundry, Inc. (UTD). They move under Rule 23, F.R.Civ.P., to represent a class of all African Americans employed by UTD in hourly positions in the laundry at any time from August 1, 1998 to the present.

As is explained more fully in the accompanying memorandum, the requirements set forth in Rule 23(a) are met because (1) the proposed class, consisting of over 500 present and former African-American employees of UTD, is sufficiently numerous, (2) UTD followed a conscious policy of giving black workers lower wages and fewer hours, including overtime, than similarly situated employees who are not African-American, and also subjected black workers to discriminatory job assignment and to a hostile environment in the form of a barrage of racial epithets, so there are questions of law and fact common to the class, (3) the named plaintiffs have themselves been subjected to discrimination in wages, assignment of working hours and jobs, as well as racist comments and other demeaning treatment, so their own claims are typical of those of the

class, and (4) the named plaintiffs, together with their experienced counsel, will fairly and adequately protect the interests of the class.

Plaintiffs move to bifurcate this case into (a) issues affecting African Americans on a class-wide basis, including liability, declaratory and injunctive relief, and punitive damages, and (b) issues of relief peculiar to individuals. Plaintiffs request that the Court first try the class-wide issues and then, if necessary, determine the means for addressing individual relief. Given this bifurcation, plaintiffs ask that the proposed class be certified under Rule 23(b)(2) to litigate the class-wide issues, and that the named plaintiffs be designated to represent the class.

A proposed order is attached, as is a supporting memorandum.

/s/

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